

KEVIN G. HORBATIUK (KGH-4977)
RUSSO, KEANE & TONER, LLP
Attorneys for Defendant
CUNNINGHAM DUCT WORK s/h/i/a
CUNNINGHAM DUCT CLEANING CO., INC.,
26 Broadway - 28th Floor
New York, New York 10004
(212) 482-0001

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
IN RE COMBINED WORLD TRADE CENTER
AND LOWER MANHATTAN DISASTER SITE
LITIGATION
-----X

21 MC 102 (AKH)

CARLOS A. VALENCIA and GLORIA N. BONILLA,

DOCKET NO:
07 CV 05324

Plaintiffs,

-against-

100 CHURCH, LLC, AMBIENT GROUP, INC.,
BANKERS TRUST COMPANY, BATTERY PARK
CITY AUTHORITY, BT PRIVATE CLIENTS CORP.,
CUNNINGHAM DUCT CLEANING CO., DEUTSCHE
BANK TRUST COMPANY, DEUTSCHE BANK TRUST
COMPANY AMERICAS, DEUTSCHE BANK TRUST
CORPORATION, EMPIRE STATE PROPERTIES, INC.,
GPS ENVIRONMENTAL CONSULTANTS, INC.,
INDOOR AIR PROFESSIONALS, INC, INDOOR
TECHNOLOGY, INC., KASCO RESTORATION
SERVICES, CO., LAW ENGINEERING, P.C., LEFRAK
ORGANIZATION, INC., MERRILL LYNCH & CO., INC.,
ONE WALL STREET HOLDINGS, LLC., ROYAL AND
SUNALLIANCE INSURANCE GROUP, PLC THE BANK
OF NEW YORK COMPANY, INC., THE BANK OF NEW
YORK COMPANY, INC THE BANK OF NEW YORK TRUST
COMPANY NA., TISHMAN INTERIORS CORPORATION,
TRC ENGINEERS, INC., TULLY CONSTRUCTION CO.,
INC., TULLY INDUSTRIES, INC., and ZAR REALTY
MANAGEMENT CORP., ET AL.

NOTICE OF
ADOPTION OF
ANSWER TO
MASTER COMPLAINT

Defendants.

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PLEASE TAKE NOTICE, that defendant CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO., INC., ("CUNNINGHAM"), by its attorneys, RUSSO, KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

WHEREFORE, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York
January 31, 2008

Kevin G. Horbatiuk

Kevin G. Horbatiuk (KGH4977)

Attorneys for Defendant

**CUNNINGHAM DUCT WORK s/h/i/a
CUNNINGHAM DUCT CLEANING
CO., INC.,**

RUSSO, KEANE & TONER, LLP

26 Broadway, 28th Floor

New York, New York 10004

(212) 482-0001

RKT File No. 824.078

TO: CHRISTOPHER R. LaPOLA, ESQ.,
WORBY GRONER EDELMAN & NAPOLI BERN, LLP
Attorney for Plaintiffs
CARLOS A. VALENCIA and GLORIA N. BONILLA
115 Broadway - 12th Floor
New York, New York 10006
(212) 267-3700

CERTIFICATION OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 31st day of January, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,
WORBY GRONER EDELMAN & NAPOLI BERN, LLP
Attorney for Plaintiffs
CARLOS A. VALENCIA and GLORIA N. BONILLA
115 Broadway 12th Floor
New York, New York 10006



KEVIN G. HORBATIUK